

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RICHARD D. MYERS, Bankruptcy trustee for
the bankruptcy estate of Donna Jean
Lunsford,

Plaintiff,

vs.

CREDIT BUREAU SERVICES, INC., and C.
J. TIGHE,

Defendants.

8:20CV141

ORDER

This matter is before the Court on its own motion. In an earlier order, [Filing No. 117](#), the Court stayed this action pending the appeal in *Bassett v. Credit Bureau*, Nos. 21-2864 and 22-1206 (8th Cir. Feb. 24, 2023). That action has been resolved and the mandate has issued. [Filing No. 119-1](#), Opinion; *Basset v. Credit Bureau*, No. 16cv449, Filing No. 267, Mandate (D. Neb. March 24, 2023). Accordingly, the Court finds the stay should be lifted. The pending motions for class certification and summary judgment are denied without prejudice to refiling. The parties shall submit briefs to the Court outlining their positions, if any, on the effect of the *Bassett* ruling on the present action within fourteen (14) days of the date of this order. Accordingly,

IT IS ORDERED that

1. The stay of this action is lifted.
2. The pending motions for class certification and summary judgment (Filing Nos. [75](#) and [85](#)) are denied without prejudice.
3. The parties shall submit briefs to the Court outlining their positions on the effect of the *Bassett* ruling, if any, on the present action within fourteen (14) days of the

date of this order; each party will have seven (7) days thereafter to respond.

Dated this 30th day of March 2023.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge